

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MICHAEL L. FERGUSON, MYRL C.
JEFFCOAT and DEBORAH SMITH,
individually and as representatives of a class
of similarly situated plan participants and
beneficiaries, and on behalf of the DST
SYSTEMS, INC. 401(K) PROFIT SHARING
PLAN,

Plaintiffs,

v.

RUANE CUNNIFF & GOLDFARB INC.,
DST SYSTEMS, INC., THE ADVISORY
COMMITTEE OF THE DST SYSTEMS,
INC. 401(K) PROFIT SHARING PLAN and
THE COMPENSATION COMMITTEE OF
THE BOARD OF DIRECTORS OF DST
SYSTEMS, INC.,

Defendants.

Case No. 1:17-cv-06685-ALC-BCM

MICHAEL L. FERGUSON, MYRL C.
JEFFCOAT and DEBORAH SMITH,
individually and as representatives of a class
of similarly situated plan participants and
beneficiaries, and on behalf of the DST
SYSTEMS, INC. 401(K) PROFIT SHARING
PLAN,

Plaintiffs,

v.

ROBERT D. GOLDFARB,

Defendant.

Case No. 1:20-cv-07092-ALC-BCM

**PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT AND AWARD OF
ATTORNEYS' FEES AND EXPENSES
TO CLASS COUNSEL, FOR APPROVAL
OF CASE CONTRIBUTION AWARDS
AND FOR RELATED RELIEF**

Plaintiffs, Michael L. Ferguson, Myrl C. Jeffcoat and Deborah Smith (“Plaintiffs”), hereby respectfully move the Court for entry of an order granting final approval of the proposed Settlement of these actions and related relief. The Settlement Agreement dated July 14, 2023 and Exhibits thereto (including class notices; proposed preliminary and final approval orders; a former participant rollover form; the Joint Stipulation of Settlement and Release of Claims to be filed in the action captioned *Su v. Ruane, Cunniff & Goldfarb Inc.*, et al., No. 19-cv-09308-ALC-BCM, brought by the Secretary of Labor; and a list of individuals excluded from the Settlement based on their status as fiduciaries of the Plan) have been filed with the Court as Exhibit 1 to the Declaration of Laurie Rubinow in connection with Plaintiffs’ Motion for Preliminary Approval dated July 14, 2023 (ECF No. 471).

For the reasons explained in the accompanying Memorandum of Law and all grounds apparent on the basis of the proposed Settlement and Exhibits, accompanying papers, and the record in these actions, Plaintiffs respectfully submit that the proposed Settlement warrants final approval.

Dated: October 3, 2023

Respectfully submitted,

/s/ Laurie Rubinow

James E. Miller

Laurie Rubinow (Bar No. LR-6637)

MILLER SHAH LLP

65 Main Street

Chester, CT 06412

Telephone: (866) 540-5505

Facsimile: (866) 300-7367

Email: jemiller@millershah.com

lrubinow@millershah.com

Alec J. Berin
MILLER SHAH LLP
1845 Walnut Street, Suite 806
Philadelphia, PA 19103
Telephone: (866) 540-5505
Facsimile: (866) 300-7367
Email: ajberin@millershah.com

Nathan C. Zipperian
MILLER SHAH LLP
1625 N. Commerce Parkway, Suite 320
Fort Lauderdale, FL 33326
Telephone: (866) 540-5505
Facsimile: (866) 300-7367
Email: nczipperian@millershah.com

Monique Olivier
OLIVIER & SCHREIBER LLP
475 14th Street, Suite 250
Oakland, CA 91103
Telephone: (415) 484-0980
Email: monique@os-legal.com

Attorneys for Plaintiffs, the Plan, and the Settlement Class